

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1-6, 9-11, 13-17 and 19 are pending in this application. Claims 1 and 9 are independent. By this Amendment, the Abstract and Claims 1 and 9 are amended. Claim 1 is amended to incorporate the allowable subject matter of Claim 18. Independent Claim 9 is amended to clarify the claimed force-restricting coupling member. Support for the amendment to independent Claim 9 can be found, for example, on page 12, lines 4-14 of the specification. No new matter is added.

Applicants appreciate Examiner Gerrity's indication that Claims 2, 3, 13-16 and 18 recite allowable subject matter, and would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. As discussed above, independent Claim 1 is amended to incorporate the allowable subject matter of Claim 18. Thus, Claim 1 and dependent Claims 2-6, 13-17 and 19 are allowable. Claims 9-11 are allowable for the reasons set forth below.

The objection to the specification is obviated by the amendment to the Abstract. The objection to canceled Claim 18 is moot.

The Official Action rejects Claims 1, 4-6, 9-11, 17 and 19 under 35 U.S.C. §102(b) over Miller, U.S. Patent No. 2,751,965. The rejection of Claims 1, 4-6, 17 and 19 is rendered moot by the amendment to Claim 1.

With respect to independent Claim 9, the Official Action states that the force-restricting coupling member previously recited in Claim 9 did not specifically require a structure which is pressurized by fluid (see the Examiner's comments at the end of paragraph "9" on page 6 of the Official Action). As such, the Official Action takes the

position that the previous version of Claim 9 only requires that the force-restricting coupling member "be pressurized" (i.e., be affected by a force of pressure) by a fluid. In this regard, the Official Action takes the position that Miller's threaded element 124 (said to correspond to the claimed force-restricting coupling member) is "affected" by the fluid which pressurizes the power cylinder assembly 36.

Taking into account the Official Action's interpretation, independent Claim 9 is amended to recite an apparatus for sealing a package, comprising, *inter alia*, a force-restricting coupling member comprising a structure that is pressurized by a fluid.

On the other hand Miller's threaded element 124 is simply a screw that threadably engages the die member 19 in a connection with die member 20 (see Fig. 4). The threaded element 124 does not comprise a structure that is pressurized by a fluid. Thus, independent Claim 9 is patentable over Miller for at least this reason.

Claims 10 and 11 are patentable over Miller at least by virtue of their dependence from patentable independent Claim 9. Thus, a detailed discussion of the additional distinguishing features recited in these dependent claims is not set forth at this time. Withdrawal of the rejection of Claims 9-11 is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful

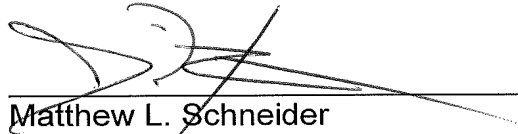
in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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